IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10656 of 2005

Between:

Sri Rayalaseema Power Constructions, rep. By Y. Bali Reddy, S/o Sleeva Reddy, 67 years, Businessman, R/o Hyderabad.

….. PETITIONER

AND

1. A.P. TRANSCO (formerly APSEB) Rep. By its Chairman and Managing Director, Vidyuth Southa, Hyderabad.
2. Chief Engineer,/Transmission/Constructions, AP TRANSCO, Vidyuth Soudha, Hyderabad.
3. Superintending Engineer, TLC AP TRANSO, Mint compound, Hyderabad.
4. Executive Engineer, TLD Division, AP Transco, Boragao PO, Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction and more particularly one in the nature of Writ of Mandamus directing the Respondents 3 and 4 to implement the order of the 2nd respondent – Chief Engineer in his Memo No. CPT-110/PT-19/88/RGM-NZB/D.No. 986/99, Dt. 17-12-1999 by settling the account and making payments thereof including the refunding the deposits' and pass such other or further orders deemed just and proper.

Counsel for the Petitioner: MR.K.PRABHAKAR

Counsel for the Respondents: MR.V.AJAYAKUMAR

The Court at the stage of admission made the following :

ORAL ORDER:

Petitioner filed this writ petition seeking a direction to the Respondents 3 and 4 to implement the order of the 2nd respondent in his Memo No. CPT-110/PT-19/88/RGM-NZB/D.No. 986/99, Dt. 17-12-1999 by settling the account and making payments thereof including the refunding the deposits.

Record reveals that by entering into a contract with the respondents, the petitioner had undertaken some works relating to the department in the year 1992 and in that connection, the respondents became due of some amounts to the petitioner. In that regard, the petitioner made several representations to the respondents for release of the amounts.

It is the main grievance of the petitioner that though the Chief Engineer-second respondent had issued proceedings dated 17.12.1999, directing the respondents 3 and 4 for release of the amounts, the respondents 3 and 4 are not acting thereon.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition at the stage of admission with a direction to the respondents 3 and 4 to comply with the orders of the 2nd respondent, within six weeks from the date of receipt of a copy of this order. No order as to costs.

29-04-2005

note:

Issue CC in two days.

B/0 Kvsn.

To

1. A.P. TRANSCO (formerly APSEB) Rep. By its Chairman and Managing Director, Vidyuth Southa, Hyderabad.

2. Chief Engineer,/Transmission/Constructions, AP TRANSCO, Vidyuth Soudha, Hyderabad.

3. Superintending Engineer, TLC AP TRANSO, Mint compound, Hyderabad.

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5 Two CD copies.